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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/044,748	01/10/2002	Patrick Connor	PW 0276926 P12813	8404
27496	7590	03/13/2006	EXAMINER	
PILLSBURY WINTHROP SHAW PITTMAN LLP			PHAM, BRENDA H	
P.O BOX 10500			ART UNIT	PAPER NUMBER
McLean, VA 22102			2664	

DATE MAILED: 03/13/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Supplemental
Notice of Allowability

Application No.

10/044,748

Examiner

Brenda Pham

Applicant(s)

CONNOR, PATRICK

Art Unit

2664

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 1/31/06.
2. ☒ The allowed claim(s) is/are 1-4,8-12,14,16-20,24-28, renumbering as 1-20, respectively.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
 5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

- | | |
|---|--|
| 1. <input type="checkbox"/> Notice of References Cited (PTO-892) | 5. <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 2. <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 6. <input type="checkbox"/> Interview Summary (PTO-413),
Paper No./Mail Date _____. |
| 3. <input type="checkbox"/> Information Disclosure Statements (PTO-1449 or PTO/SB/08),
Paper No./Mail Date _____ | 7. <input type="checkbox"/> Examiner's Amendment/Comment |
| 4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit
of Biological Material | 8. <input type="checkbox"/> Examiner's Statement of Reasons for Allowance |
| | 9. <input type="checkbox"/> Other _____. |

BRENDA PHAM
PRIMARY EXAMINER

Brenda A. Pham 3-6-06

EXAMINER'S AMENDMENT

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

2. Authorization for this examiner's amendment was given in a telephone interview with Mark R. Kendrick, Reg. No. 48,468 on March 6, 2006.

3. The application has been amended as follows:

Claims 5, 13 and 21 canceled.

Claim 4 is deleted in entirety and is replaced it with the following:

"A method of increasing a transmission rate, comprising:

waiting a poll time for an event to occur;

determining whether a pause frame has been received after waiting the poll time;

determining whether a minimum of an inter-frame spacing (IFS) has been

reached if the pause frame has not been received; and

decreasing the inter-frame spacing for a number of frames by a value if the

minimum of the inter-frame spacing has not been reached to increase the transmission rate."

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Claim 9 is deleted in entirety and is replaced it with the following:

“An input/output controller, comprising:

a receiver circuit to determine whether a pause frame has been received; and

a logic circuit adapted to wait a pause time specified by the pause frame, to determine whether a maximum of an inter-frame spacing (IFS) has been reached if the pause frame has been received, and to increase the inter-frame spacing by a value if the maximum of the inter-frame spacing has not been reached to reduce a transmission rate.”

Claim 12 is deleted in entirety and is replaced it with the following:

“An input/output controller, comprising:

a receiver circuit to determine whether a pause frame has been received after a packet count value has been reached; and

a logic circuit adapted to wait a poll time for an event to occur before the receiver circuit determines whether the pause frame has been received, to determine whether a minimum of an inter-frame spacing (IFS) has been reached if the pause frame has not been received, and to decrease the inter-frame spacing for a number of frames by a value if the minimum of the inter-frame spacing has not been reached to train a transmission rate.”

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Claim 20 is deleted in entirety and is replaced it with the following:

"A program code storage device, comprising:

a machine-readable storage medium; and

machine-readable program code, stored on the machine-readable storage medium, having instructions, which when executed cause a computer to wait a poll time for an event to occur;

determine whether a pause frame has been received after a packet count value has been reached and after waiting the poll time,

determine whether a minimum of an inter-frame spacing (IFS) has been reached if the pause frame has not been received, and

decrease the inter-frame spacing for a number of frames by a value if the minimum of the inter-frame spacing has not been reached to increase a transmission rate."

Conclusion

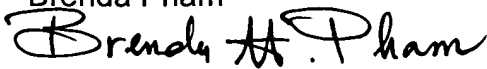
4. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Brenda Pham whose telephone number is (571) 272-3135. The examiner can normally be reached on Monday-Friday from 9:00 to 5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Wellington Chin, can be reached on (571) 272-3134.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Group receptionist whose telephone number is (571) 272-2600.

March 6, 2006

Brenda Pham



BRENDA PHAM
PRIMARY EXAMINER